

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Kelly P. Williams

Docket No. 4:11-MJ-1011-1

Petition for Action on Probation

COMES NOW C. Lee Meeks, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kelly P. Williams, who, upon an earlier plea of guilty to Driving While Impaired, in violation of 18 U.S.C. § 13, N.C.G.S. 20-138-1, was sentenced by the Honorable David W. Daniel, U.S. Magistrate Judge, on August 10, 2011, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. The defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until her privilege to do so is restored in accordance with law.
5. The defendant shall pay a \$200 fine and \$10 special assessment.

On November 29, 2011, the court approved a Petition for Action on Probation modifying the conditions of supervision to include an additional 24 hours of community service as a result of a positive drug test for marijuana.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 18, 2011, the defendant tested positive for marijuana during an office appointment. When confronted with the violation, Williams denied the conduct. On December 19, 2011, the laboratory confirmed the positive marijuana test from November 18, 2011, and test results indicated new marijuana use since the prior positive marijuana test submitted on October 20, 2011. When confronted with this information, the defendant did not deny the validity of the test results.

Since being placed on probation, the defendant has completed 48 hours community service, satisfied the court indebtedness, and has not received new criminal charges. A substance abuse assessment recommended Williams participate in outpatient group treatment. Williams remains in compliance with group treatment at Palms Wellness Center in Jacksonville, North Carolina.

Recently, Williams and her mother, JoAnn Ludwig, have discussed ongoing domestic issues Williams has experienced with her former boyfriend. It is Williams' intention to request to transfer to Arizona to reside with her mother as a result of this abuse. Williams has no family members in the Eastern District of North Carolina.

As a sanction for the positive drug test, the probation officer respectfully recommends the conditions of supervision be modified to include 30 days home detention, with electronic monitoring. In consideration of the defendant's financial situation, it is not recommended she pay for monitoring services.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

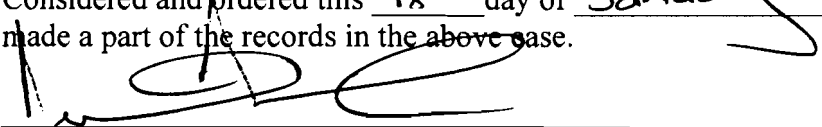
I declare under penalty of perjury that the foregoing is true and correct.

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
U.S. Probation Officer
472-C Western Blvd.
Jacksonville, NC 28546-6862
Phone: (910) 347-9038
Executed On: January 18, 2012

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ORDER OF COURT

Considered and ordered this 18th day of January, 2012, and ordered filed and made a part of the records in the above case.



David W. Daniel
U.S. Magistrate Judge